## **COMHAIRLE CONTAE ÁTHA CLIATH THEAS** **SOUTH DUBLIN COUNTY COUNCIL**

Minutes of South Dublin County Council March 2021 Special Meeting of County Council Meeting held virtually through Microsoft 365 Teams on Monday 8 March 2021

### **PRESENT**

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| **Councillors** |  | **Councillors** |
| Bailey, C. |  | Kavanagh, P. |
| Carey, W. |  | Kearns, P. |
| Casserly, V. |  | King, C. |
| Collins, Y. |  | Mahon, K. |
| Costello, T. |  | Moynihan, S. |
| Duff, M. |  | Murphy, E. |
| Dunne, L. |  | O Brádaigh,D. |
| Donaghy, L. |  | O’Brien, E. |
| Edge, A. |  | Ó Broin, E |
| Fay, S. |  | O’Connell, G. |
| Gilligan, T. |  | O’Connor, C. |
| Gogarty, P. |  | O’Toole, L. |
| Hayes, A. |  | Sinclair, L. |
| Holohan, P. |  | Timmons, F. |
| Johansson, M. |  | Tuffy, J. |
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**OFFICIALS PRESENT**

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| Chief Executive | D. McLoughlin. |
| Directors/ Heads of Function  Head of Finance  County Architect | L. Maxwell, F. Nevin, T. Walsh, M. Mulhern, C. Ward.  R. FitzGerald.  E. Conroy. |
| A/ Law Agent  Senior Executive Officers | S. O’Shea  C. Hurson. |
| Administrative Officers | M. Reilly. |
| A/ Senior Staff Officer  Assistant Staff Officer  Clerical Officer | L. Abbey.  A. Hagan.  D. Murphy. |

The Mayor, Councillor E. O’Brien, presided

Apologies were received from K. Egan, B. Lawlor, L. McCrave, R McMahon, D. McManus, C. O’Byrne, D. O’Donovan, S. O’Hara, B. Pereppadan and D. Richardson.

At the commencement of the meeting, the Mayor, Councillor E. O’Brien, informed the Members that members of the public will be in attendance at the meeting, he then read out the etiquette for the virtual meeting:

-Members to check that they can access the “Chat Function” before we commence the meeting.

-Members must be able to be seen, specifically for roll call, when speaking and voting.

-Mics to be on mute until invited to speak through the Chair.

-Members can indicate they wish to speak on an item through the chat function – using ‘Speak Please’.

-The ‘Chat Function’ is not to be used for comments.

-The meeting will be recorded for minute taking purposes only.

### **M1/0321** Proposed by Councillor M. Johansson, Councillor Carly Bailey, Councillor E. Ó Broin, Councillor F. Timmons, Councillor K. Mahon,

**Discussion of the proposed Land Development Agency Bill and its implications for County Councillors**

**REPORT:**

The Mayor, Councillor E. O’Brien has convened a Special meeting of the Council, following receipt of request for same from Councillors E. Ó Broin, K Mahon, T. Timmons, M. Johansson, and C. Bailey, in accordance with Standing Orders . The purpose of the meeting is to discuss the proposed Land Development Agency Bill and its implications for County Councillors and to send a report to the Housing Minister in this regard.

A discussion followed with contributions from Councillor M. Johansson, F. Timmons, C. Bailey, A. Edge, M. Duff, G. O’Connell, K. Mahon, P. Kavanagh, W. Carey, C. King, D. O Brádaigh, L. Donaghy, P. Holohan and L. Sinclair. Issues regarding the Land Development Agency Bill were raised in relation to local democracy, the reduction of powers and functions of Local Authority Members in representing constituents, Section 183 and the disposal of land, the effect on Development Plans and the overall governance of the Bill. Councillors voiced disappointment that their work relating to the approval of numerous housing schemes had not been recognised.

The Mayor, Councillor E. O’Brien informed the Members that he also shared some concerns which he had expressed directly to the Minister. He clarified issues raised including percentages of social and affordable housing and Section 183.

Councillors then called on the Chief Executive for comment.

Mr. D. McLoughlin, Chief Executive, responded to the Members regarding the relevance of the Bill to South Dublin County Council including the absence of any plans or requirement to avail of the services of the Land Development Agency in terms of masterplanning etc., given the expertise of staff available within the Council. He committed to bring a detailed report to Councillors on the plans for the social and affordable housing following the confirmation of €186 million in URDF funding for this Council’s significant Housing developments.

Councillor C. Bailey then proposed and Councillors M. Duff and C. King seconded an amendment to the Motion as follows:

That this Council recognises that Section 183 of the Local Government Act, is one of the most important reserved functions delegated to elected members.

* That this Council opposes the provisions in the Land Development Agency 2021 Bill (to be enacted) which overrides the decision making of elected members regarding the transfer or sale of public land. That this Bill would further undermine local democracy and the work of our Council Executive in the proper planning of our county/city and our local communities.
* That this Council will continue to actively engage with the Dept. of Housing to utilise and implement housing models that will provide social and affordable housing for the people of this county and retain the ability to plan for the associated infrastructure of such developments.
* That this County Council agrees to write to the Minister for Housing and Local Government demanding an immediate halt to the progression of the Land Development Agency Bill 2021, that the Minister engage in consultation with Local Authorities and that the Council invites the Minister to meet with Councillors to discuss this further.

The Mayor Councillor E. O’Brien then called for a **ROLL CALL VOTE,** and the Members **AGREED,** on the amendment, the result of which was as follows:

**FOR: 20 (TWENTY)**

**Councillors C. Bailey, W. Carey, L. Donaghy, M. Duff, L. Dunne, A. Edge, P. Gogarty, A. Hayes, P. Holohan, M. Johansson, P. Kavanagh, P. Kearns, C. King, K. Mahon, D. O Brádaigh, E Ó Broin, G. O’Connell, L. Sinclair, F. Timmons, and J. Tuffy.**

**AGAINST: 6 (SIX)**

**Councillors Y. Collins, T. Costello, S. Moynihan, E. Murphy, E. O’Brien, C. O’Connor.**

**ABSTAIN: 0 (ZERO)**

The Motion was **AGREED.**

Meeting finished @ 3:30pm